

IN THE UNITED STATES DISTRICT COURT
FOR THE STATE OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

v.

RAMON ARAGON, *et al.*,

Defendants.

01 DEC 11 PM 2:09

69cv07941 JEC-ACE

RIO CHAMA STREAM SYSTEM
Section 3: Rio Nutrias, Rio Cebolla
& Canjilon Creek

**NEW MEXICO'S MOTION TO JOIN
ADDITIONAL PARTIES DEFENDANT**


COMES NOW plaintiff State of New Mexico, *ex rel.* State Engineer ("State") and respectfully requests the Court to join as additional parties defendant the persons or entities named below and order them to answer the State's Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons listed in Exhibit A attached hereto are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Basin. These waters belong to the public and are subject to appropriation in accordance with the laws of the state. This Court has exclusive jurisdiction of adjudicate all claims to the right to divert, store, or use public waters in the Rio Chama Basin.

2. The persons or entities listed in Exhibit A are in Section 3 of the Rio Chama Basin, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using and diverting surface or underground waters within Section 3 of the Rio Chama Basin.

DATED: December 10, 2001

Respectfully submitted,


EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of the State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 827-6150

CERTIFICATE OF SERVICE

I certify that a copy of New Mexico's Motion to Join Additional Parties Defendant was mailed to the following persons on December 12, 2001.


Edward G. Newville

Special Master Vickie L. Gabin
USDC-DCNM
P.O. Box 2384
Santa Fe, NM 87504-2384

Darcy S. Bushnell, Esq.
Adjudication Staff Attorney
USDC-DCNM
333 Lomas Blvd. NW
Albuquerque, NM 87102-2272

Karla McCall, Data Manager.
1315 Sagebrush Dr. SW
Las Lunas, NM 87031

Bradley S. Bridgewater, Esq.
David W. Gehlert, Esq.
USDOJ-ENRD
999 18th St., Suite 945

Denver, CO 80202

John W. Utton, Esq.
P.O. Box 271
Albuquerque, NM 87103-0271

Fred J. Waltz, Esq.
P.O. Box 6390
Taos, NM 87571

Wilfred Gutierrez, Chair
NM Acequia Commission
P.O. Box 190
Velarde, NM 87582

Paula Garcia
NM Acequia Association
P.O. Box 1229
Santa Cruz, 87567

EXHIBIT A

<u>DEFENDANT</u>	<u>SUBFILE NO.</u>	<u>ADDRESS</u>
Estate of Elsie Chang	CHNU-004-0003	c/o Richard Chang Box 20 HC 80 Cundiyo NM 87522
Francisco Leroy Garcia	CHCJ-003-0001	P.O. Box 462, Canjilon NM 87515
Rafael Garcia	CHCJ-003-0001	P.O. Box 462, Canjilon NM 87515
Victor Jaramillo	CHCJ-003-0033B	12237 Yellowstone NE, ABQ NM
Donald Thomas Martinez	CHNU-003-0003	P.O. Box 187, Los Ojos NM 87551
Onesimo Martinez	CHCJ-003-0086B	P.O. Box 557, Canjilon NM 87575
Augustine Ortega	CHCJ-001-0004A	1556 Los Griegos Rd, Jemez Springs NM 87025
Ernestine C. Ortega	CHCJ-002-0051	56 Lagarito Rd, Tijeras NM 87059
Cindy Redwine	CHCJ-003-0001	P.O. Box 462, Canjilon NM 87515
Pricilla Sanchez	CHCJ-003-0024	P.O. Box 1342, San Juan Pueblo NM 87566